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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

INCOME TAX APPEAL NO.8 OF 2005

The Commissioner of Income Tax ... Appellant

Versus

Shri. Sanjay Basant Taparia ... Respondent

Mr. A.D. Kango for the Appellant.

CORAM: F.I. REBELLO &
J.P. DEVADHAR, JJ.
DATED: OCTOBER 15, 2007

P.C.

. The question of law as framed in Para 4 (a) of the appeal memo would not arise in view of the judgment of the Supreme Court reported in 273 ITR 1 which confirms the judgmnet of this court in 249 ITR 215. In view of the same the learned counsel for the appellants seeks liberty to withdraw the appeal. Appeal dismissed as withdrawn. Refund of court fees as per rules. C.C. expedited.

(J.P. DEVADHAR, J.) **(F.I.REBELLO, J.)**